

# *Affidavit of Michael D. Dicembre, Esq.*

STATE OF FLORIDA  
COUNTY OF ORANGE

To Whom it May Concern,

I, Michael D. Dicembre, have been a practicing attorney within the Central Florida community for approximately ten (10) years at the time of this writing. During this time, I have almost exclusively practiced criminal law and, as a result, appear in court on a daily basis. The large amount of time I spend in court has allowed me to come to know most members of the local judiciary assigned to the criminal bench quite well. One such individual is the Honorable Alan C. Todd.

I understand that an inquiry concerning Judge Todd has commenced and I have had an opportunity to read and review the 'Notice of Formal Charges' in the instant matter. That said, I welcomed the opportunity to share my thoughts regarding Judge Todd. I first recall meeting Judge Todd as an intern at the Office of the State Attorney back in 1992 while still attending law school. My first exposure to Judge Todd was while watching what turned into a two day 'petit theft' trial which was being tried by certified legal interns for both the Office of the Public Defender and the Office of the State Attorney. Suffice to say that in hindsight both parties had their own procedural difficulties during the course of the trial which was clearly based upon their respective lack of trial experience. Many Judges faced with this type of situation may have become quickly aggravated by this, however, not Judge Todd. He displayed the patience of 'Job' in dealing with the young attorney-hopefuls who were trying the case. His patience and kind demeanor during the course of the trial truly made an impact upon me and has remained engrained in my memory these past 13 years.

Since then, during my time in practice locally, I imagine I have appeared before Judge Todd on more than a hundred cases and I can say, without hesitation, that he is a fair minded and conscientious jurist. In my opinion, the many clients I have represented in front of Judge Todd collectively form a fairly accurate cross-section of our community's population inasmuch as I have represented men and women of diverse age and various racial, ethnic, religious, educational and economic backgrounds. Regardless of background or family circumstance, Judge Todd, in my experience, has always treated those appearing before him with respect and dignity.

Additionally and perhaps more importantly, Judge Todd, in my experience, always manages to take the time to listen to the many defendants who appear before him and really seems to try to take into account an individual's circumstances when determining an appropriate resolution in any given criminal case. This may seem like a given, but in our climate of ever expanding caseloads, over crowded dockets, and high turnover rate among the Public Defenders and Assistant State Attorneys assigned to our local courtrooms, that unfortunately is not always the case. As a result, defendants, who are typically nervous and overwhelmed by their own circumstances, often enter crowded courtrooms and find themselves further intimidated by the pace and stress of those working within the system.

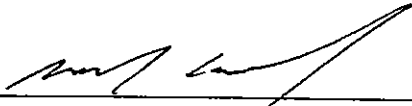
Despite these obstacles, Judge Todd, in my opinion, manages to create a calm almost friendly environment in his courtroom. His warm persona and bench demeanor along with his disarming manner, I believe, instills those before him with the confidence that they will be treated fairly and that their side of the story will be heard. I believe that is a rare talent, the value of which cannot be overestimated for, in my experience, many of the defendants appearing before the Court, particularly in County Court, are prepared to take responsibility for their actions. All they really want is to first be heard and to feel that their words have been taken into account. In

short, people want their "day in court" and, once given that, generally feel they have been treated fairly by the system. Judge Todd, in my experience, always takes the time necessary to allow all people appearing before him to have their "day in court" and, as a result, those before him generally walk away feeling they been treated fairly and respectfully.

Aside from the many defendants who routinely appear before Judge Todd, I have also had the opportunity to observe his interaction with other attorneys, court deputies, clerks and various other courthouse personnel. During my observations I can say, without reservation, that Judge Todd has appeared to enjoy a wonderful relationship with those individuals with whom I have observed him interact. In my estimation I have never seen him act in manner other than polite, concerned and gentlemanly.

The above represents why I believe that Judge Todd to be an asset to our local judiciary and I look forward to appearing before him for many years to come.

IN WITNESS WHEREOF, I have hereunto set my hand on this 22<sup>nd</sup> day of September 2005.

  
\_\_\_\_\_  
Michael D. Dicembre, Esq.

BE IT KNOWN, that on the 22<sup>nd</sup> day of September 2005, before a Notary Public in and for the State of Florida, duly commissioned and sworn, dwelling in the City of Orlando, Orange County, Florida, personally appeared Michael D. Dicembre, Esq.,

☒ to me personally known,

☐ or who produced a valid Florida Identification Card/ Driver License # \_\_\_\_\_ as identification,

and who acknowledged the above affidavit to be his act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last above written.

  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:



Daniel Palamountain  
Commission #DD328261  
Expires: Jun 13, 2008  
Bonded Thru  
Atlantic Bonding Co., Inc.

**PC PRIVATE COUNSEL, LLC**  
ATTORNEYS AT LAW

207 East Hillcrest Street

Orlando, Florida 32801

Main Office Phone: (407) 849-2949

Facsimile: (407) 849-2951

SHON J. DOUCTRE, ESQ.

Of Counsel

STEVEN A. HALIM, ESQ.

KENNETH PRATT, ESQ.

Via: U.S. Mail

Chandler R. Muller, Esq.

1150 Louisiana Ave., Suite 2

P.O. Box 2128 Winter Park, FL. 32790-2128

Wednesday, September 08,  
2004

Our File# Admin

RE: Judge Allen Todd.

Dear Mr. Muller:

Please accept this letter as my personal endorsement for Judge Allen Todd's character and fitness for the bench. I practice mainly DUI and traffic law and have practiced in front of Judge Todd on many, many prior occasions. Even before beginning my own practice, I was a public defender while Judge Todd was on the bench. In many numerous encounters with him before and since, I have never witnessed inappropriate conduct.

In my opinion, he has demonstrated standards of conduct and performance, moral courage, and dedication to the justice system. He is an enviable example for other fellow Judges. His desire to excel, guide others, and facilitate compromise is boundless. There is nothing he would not do for others; and I feel people take advantage of his kindness and goodwill at times. His demeanor in the courtroom is pleasant and I am always respected and welcomed when I walk through his doors. He continually reflects sincerity, attention to duty, and moral responsibility when I am in his presence. I believe he contributes greatly to the effectiveness of the Orange County bench. If I can be of any assistance in this difficult time for him, please call me.

Sincerely,

SHON JOSEPH DOUCTRE,  
Attorney at Law

Direct Dial (407) 694-0651

E-mail: [sjd@lapropligator.com](mailto:sjd@lapropligator.com)

SJD

CC: Judge Todd

September 19, 2005

RE: Judge Alan C. Todd

To Whom it may concern:

I began my legal career in 1995 working for the office of the State Attorney in Orange County. As a new prosecutor I was assigned to Judge Alan C. Todd's courtroom. I spent eight months in his court before being moved to a juvenile division, felony, and eventually leaving and opening my own practice.

I am writing this letter to give my opinion of Alan C. Todd as a judge and as a person. Before I do this I will give you a glimpse of my background so that you may have an understanding from whom this opinion originates. I joined the Army in 1984 to earn money for college. I put myself through an undergraduate program at the University of Florida in 3 years and was accepted to the University of Florida, College of Law. I put myself through law school by working and taking out student loans. I volunteered at the State Attorney's Office in Gainesville part-time while going to school to get experience. I do not ask for anything from anyone except honesty and that is what I feel I am obliged to return.

Alan C. Todd is one of the very few judges that I have met that truly cares about the law and the people it affects. He is considerate, deliberate, and honest. He carries out his responsibilities fairly for all parties involved regardless of race, gender, or national origin. His decisions on the bench are focused upon the law, the facts, and justice. There is nothing more that an attorney can ask from a judge than what Alan C. Todd gives.

If there are any questions that you may have for me regarding Alan C. Todd I will make myself available at you convenience.

Sincerely,

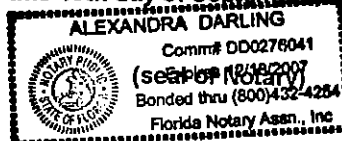
  
Eric J. Dirga

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 19th day of September, 2005, by Eric J. Dirga.

  
Alexandra Darling

My Commission 000216041  
Expires 12/18/2007



Personally known X OR produced identification \_\_\_\_\_. Type of identification produced: Florida Driver's License/Identification Card [ ] , Other [ ] .

August 1, 2011

## Carolyn Thompson

---

From: Eric Dirga [ejdirga@hotmail.com]  
Sent: Thursday, June 24, 2004 2:31 PM  
To: Chan Muller  
Subject: June 24, 2004

June 24, 2004

RE: Alan C. Todd

To Whom it may concern:

I began my legal career in 1995 working for the Office of the State Attorney. As a new prosecutor I was assigned to the Honorable Alan C. Todd's courtroom. I spent eight months before his court before being moved to a juvenile prosecutor's position and then eventually felony before I finally left and opened my own practice.

I am writing this letter to give my opinion of Alan C. Todd as a judge and as a person. Before I do this I would like to give you a brief glimpse of my background so that you understand from whom this opinion originates. Today I am 41 years of age. I graduated High School in 1981 and joined the army in 1984. I put myself through college and law school. I paid for everything I have through hard work, sweat, and student loans. I do not ask for anything from anyone except honesty. And I would not take the time to write this if it was not from my sincere beliefs.

Alan C. Todd is one of the very few judges that I have met that truly cares about the law and the people that it affects. He is considerate, deliberate, and honest. He carries out his responsibilities fairly for all parties involved. His decisions on the bench are focused upon the law, the facts, and justice above all else. There is nothing more that an attorney can ask from a judge than what Alan C. Todd gives. Regardless of whether it was for a hearing, a trial - whether my motion or objection prevailed - whether it was a conviction or an acquittal, with Judge Alan C. Todd I never went home feeling as if an injustice had occurred. I do not say this lightly. During my eight months before his court as a prosecutor and the years that have followed as an attorney my respect for him has never waived.

For Judge Alan C. Todd I will make myself available for anything that is necessary. If there is any questions of me please do not hesitate to ask.

With all sincerity,

Eric J. Dirga, ESQ.  
P. O. Box 3591  
Orlando, Florida 32802-3591  
(407) 841-5555  
ejdirga@ejdirga.com

*Sincerely,*

ERIC J. DIRGA, PA  
P. O. Box 3591  
Orlando, Florida 32802-3591  
(407) 841-5555  
[www.ejdirga.com](http://www.ejdirga.com)

6/24/2004

\*CRIMINAL LAW  
CIVIL TRIAL PRACTICE

LAW OFFICE  
**STEVEN G. HORNEFFER, P.A.**  
\*FLORIDA BAR BOARD CERTIFIED  
1220 DOUGLAS AVENUE  
SUITE 103  
LONGWOOD, FLORIDA 32779

(407) 788-0007  
FAX (407) 788-0723  
EMAIL: [sghornefferpa@yahoo.com](mailto:sghornefferpa@yahoo.com)

June 24, 2004

To Whom It May Concern,

RE: The Honorable Alan C. Todd

I have known Judge Todd since early 1978 when he was practicing law in Winter Park, Florida. I went to work with Alan and Jim Files at his office at 180 Park Avenue North, Winter Park, in April of 1978. Alan and I have been friends ever since. I attended his daughter's wedding, his son's graduation from college, and otherwise maintained a close relationship with Alan and his family during the subsequent quarter of a century. They are the finest and highest caliber of people I know.

One of the first things that I learned about Alan was that he has a highly evolved sense of humor. Jim Files used to joke that Alan's favorite holiday was April Fool's. Alan always took great pleasure in comic relief and the levity that made the practice of law a little easier to bear. At the same time I have always found Alan to be extremely ethical and of the highest integrity not only in the practice of law but in his treatment of people in general. He has helped impoverished refugees as well as the silk stocking crowd in Winter Park because to Alan the concept that all people are created equal actually means what it says.

While my understanding of the allegations which precipitated this letter is at best vague, I have no doubt that whatever comment Alan made was not intended to cause pain, indignity or a negative influence of any kind, because Alan is incapable of such behavior. I have no doubt that his statement regarding the desirability of avoiding the stigma of bastardy was a self-evident truism in his mind and that there need be no inference of ulterior motive in his expressing of same. Alan takes no pleasure in belittling or harming others, as it can be easily perceived when he is required to impose an incarcerative sentence on one of the defendants before him. He takes no pleasure in imposing such punishment or harming another human being physically or emotionally.

I hope that this misunderstanding can be resolved and that the parties bringing this complaint will ultimately appreciate the fact that Alan Todd would never intentionally inflict emotional distress on another person because that is simply alien to his make

up and any inference of negativity must have been in the mind of the beholder, because Alan would never intend such a thing.

Finally, for any fault that Alan may bear in this matter, please take into account his thirty (30) plus years of service to his community and the myriad benefits he has conferred on his fellow citizens during that time.

Very truly yours,



Steven G. Horneffer, P.A.

SGH/lcl

MARK R. LIPPMAN, ESQ.

July 19, 2004

Dear Sir or Madam:

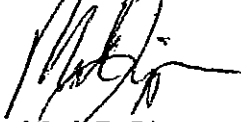
I've known Judge Todd for approximately two years. While I wish I was writing about him under better circumstances, I'm very happy to write a letter of reference on his behalf.

Judge Todd is a County Court Judge of the highest caliber, who runs his court in a meticulous manner. The Judge endeavor to be an advocate of Justice and I believe he has successfully achieved that goal.

I have been before the Judge on numerous occasions in my capacity as a lawyer. I have done many motions and trials in front of the Judge and I can unequivocally state that he is both fair and reasonable when he addresses the case in front of him. For example, more often than not, a Judge can be considered either "for the defense" or "for the prosecution". However this is not the case with Judge Todd. I have observed the Judge taking time out of his calendar to help prosecutors and criminal defense attorneys understand the law and his decisions. He has never, since I have known him, favored one side over the other and he has been equal in administering Justice with regards to his actions in court. This achievement coupled with the fact that the Judge researches the issues before him so he is always knowledgeable, makes him an extremely fair and educated Judge, something a few of the other Judges should strive to achieve when meting out Justice.

Judge Todd is an invaluable asset to the County Court in addition to being a pillar of the community. The Judge has never made any inappropriate comments in front of me while he has been on the bench, and if the Judge ever did have a fault it is that he is happy to explain, ad nauseum, anything he says. If you'd like to discuss his attributes in more detail, please don't hesitate to contact me at 321-231-2600.

Sincerely,



Mark R. Lippman, Esq.  
Fla. Bar No.: 244030

(321) 231- 2600



**AFFIDAVIT OF TED MARRERO, JR., ESQUIRE**

STATE OF FLORIDA     )  
                                      ) ss:  
COUNTY OF ORANGE\_\_\_)

My name is Ted Marrero and I have been practicing law since 1989. I was a prosecutor with the State Attorney's Office from 1989 until 1996, and a criminal defense attorney from 1996 until 2003. During my years practicing criminal law, I had the opportunity to know most of the lawyers that practiced before Judge Todd, as well as the privilege of appearing before him numerous times representing clients in Traffic Court. I have also observed Judge Todd in numerous social occasions throughout the years.

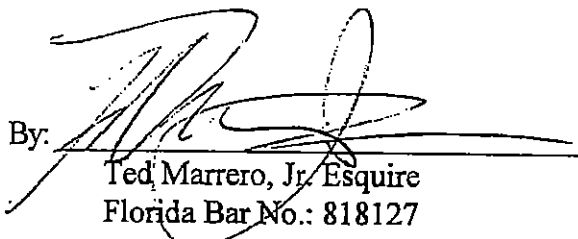
I have read the Notice of Formal Charges that have been brought against Judge Todd by the JQC. Based on all my experience with Judge Todd over the last 16 years, I find the allegations utterly incredible. Nothing that I have ever witnessed about Judge Todd, be it in the Courtroom, in chambers or in relaxed social settings, supports the notion that he would have ever said such things to anyone. He always treated my clients, most of whom did not speak English, with kindness and professionalism. He was always patient with them, making sure they understood what they were doing and felt at ease in the courtroom (or at least as relaxed as any English-speaking defendant).

I never once saw him lose his temper or utter profanity, even off the record or in a social setting. He always kept a sense of humor about himself and the job at hand, but never at anyone's expense. In fact, he seemed utterly devoid of sarcasm or the kind of passive-aggression so much a part of many judges' personality. I never once heard him treat his court personnel with anything other than respect, which something I am sensitive to and which is more than I can say for many judges.

I will say this: There were a small number of court deputies that did not like being in his courtroom. They openly complained that he was too nice to people, that he was too easy on the lawyers and didn't punish defendants harshly enough. I honestly believe some of them just sadistically enjoyed watching other people suffer, and those kind of thrills were uncommon in Judge Todd's courtroom. I can say this based on 16 years of watching their reactions in various courtrooms and their affinity for judges who make an entertaining spectacle in court by being rude, insulting, impatient and cruel. I suppose you could fairly level one accusation against Judge Todd's courtroom: it could be a bit dull.

As for me, I prefer other forms of entertainment. What I expect from a Judge is just what I always observed in Judge Todd: sober, dispassionate adjudication proceeding from a confident, decent human being with a deep commitment to the Constitution and an inherent sense of fairness.

FURTHER AFFLIANT SAYETH NAUGHT.

By:   
 Ted Marrero, Jr. Esquire  
 Florida Bar No.: 818127

BEFORE ME, the undersigned authority, personally appeared Ted Marrero, Jr. who is/are personally known to me or who has/have produced n/a, as identification, and being first duly sworn, deposes and says that the foregoing Affidavit is true and correct to the best of his/her knowledge, information and belief, and he/she has subscribed his/her name hereto in certification thereof.

SWORN TO AND SUBSCRIBED before me this 22 day of September, 2005.

  
 Notary Public, State of Florida

Karen Weathersby  
 Notary Print Name

My Commission Expires



**AFFIDAVIT**

RE: **Inquiry Concerning Judge Alan C. Todd**  
Case Number: SC04-1655

I, Thomas Michael Matthews, Esquire, Florida Bar Number 265561, do hereby affirm that I have read the Notice of Formal Charges in the above-styled cause. I have been practicing criminal law in the Orlando area for more than twenty-six (26) years, and am very familiar with Judge Todd's courtroom. I first became acquainted with Judge Todd when he was appointed to the bench. I estimate that I have appeared before him on hundreds of occasions. These experiences have always been positive because of the judge's friendly, informal demeanor and his strong sense of justice. Judge Todd is also polite, professional, and a good listener. On more than one occasion over the years, I have had new clients inform me that when they appeared 'pro se' before Judge Todd at arraignment, he was very thorough in explaining the judicial process and each defendant's rights. These clients seemed surprised that he appeared to actually be concerned about each case and each litigant. I specifically remember hearing from more than one client that "All judges should be like that." I also remember a time several years ago when Judge Todd had first been informed by an expert of the dire consequences suffered by those who had Attention Deficit and Hyperactivity Disorder (ADHD). From that point on, he made a habit of inquiring of defendants who exhibited ADHD symptoms, and of their attorneys as to the possibility of these defendants having this disorder. He made it clear that the intention of his inquiry was to see if the defendant might be assisted by counseling and medication. In other words, he treated these litigants as human beings and wasn't only concerned with punishment. Throughout the years I have known Judge Todd, he has exhibited a pattern of concern and interest not only in those who appear before him, but also in those who work in the courtroom with him.

  
THOMAS MATTHEWS, ESQ.

STATE OF FLORIDA  
COUNTY OF ORANGE

BEFORE ME, the undersigned authority, personally appeared Thomas M. Matthews, who, after being duly sworn deposes and states that he is the affiant herein that he has personal knowledge of the facts and matters set forth

herein, and that said facts and matters are true and correct.

That the Affiant presented the following as a form of identification \_\_\_\_\_, or in the alternative is personally known by me.

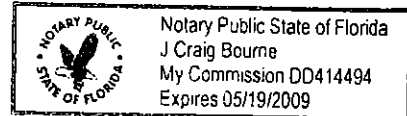
WITNESS my hand and official seal in the County and State aforesaid this 22ND day of SEPTEMBER, 2008.

J. Craig Bourne

NOTARY PUBLIC, STATE OF FLORIDA

Commission Number \_\_\_\_\_

My Commission Expires:



BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,  
NO. 04-53, ALAN TODD

CASE NO. \_\_\_\_\_

**AFFIDAVIT**

STATE OF FLORIDA        )  
COUNTY OF SEMINOLE    )

BEFORE ME this 20 day of September, 2005, personally appeared JOHN A. BALDWIN, ESQUIRE, and who, after first being duly sworn, deposes and says:

1.       Your affiant has been a member of the Florida Bar since June 1969. I have practiced law in Orange and Seminole counties since January 1971. I have been practicing law for approximately 35 years. I have a great deal of experience in dealing with many personalities on the bench.

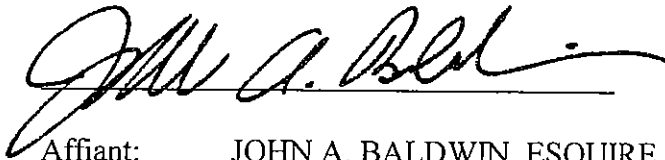
2.       I have known Judge Alan Todd since he began practicing law with the U.S. Attorney's Office in Orlando, Florida. I worked with him as a defense attorney in cases where he acted as a prosecutor. I have been actively involved with him in his private practice after he left the U.S. Attorney's Office. I have also known him and worked with him and appeared before him as the judge many times over the years. I have had the opportunity to observe his courtroom and private demeanor on many occasions. As a consequence of this experience with Judge Todd, I believe I am well acquainted with him and his personality and abilities.

3.       In the course of my dealings with Judge Todd, I have found him to be an unusually intelligent, judicial and erudite individual who takes his judicial post very seriously. He exercises good judgment. He is courteous, gentle and kind with everyone who appears before him. I have never witnessed him abuse anyone at any time. Judge Todd is an intellectual individual who is very well educated. He certainly is not a bigot. If he has fault, it is because he is too gentle and kind. I

have observed him over the years to exercise nothing but good judgment.

4. Judge Todd is an excellent judge who I would be happy to have any client of mine appear before and who I would be happy to appear before at any time.

FURTHER AFFIANT SAYETH NAUGHT.



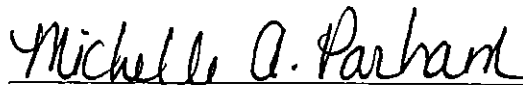
Affiant: JOHN A. BALDWIN, ESQUIRE  
Address: 7100 S. Highway 17-92  
Fern Park, Florida 32730

STATE OF FLORIDA  
COUNTY OF SEMINOLE

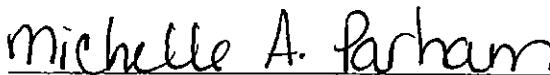
Sworn to and subscribed before me this 20 day of September, 2005, by  
JOHN A. BALDWIN, who is known to me as follows:

☒ personally known  
☐ or who produced \_\_\_\_\_ as  
identification.

(Notary Seal)



Notary Public Signature



Printed Notary Public Name

My Commission Expires:



Michelle A Parham  
My Commission DD111244  
Expires April 22, 2008

**BALDWIN & MORRISON. P. A.**

ATTORNEYS & COUNSELLORS AT LAW

7100 SOUTH U. S. HIGHWAY 17-92

**FERN PARK, FLORIDA 32730-2092**

JOHN A. BALDWIN  
WILLIAM H. MORRISON  
CHRISTOPHER H. MORRISON

TELEPHONE  
(407) 834-1424  
FAX  
(407) 834-4845

July 21, 2005

Chandler R. Muller, Esquire  
Attorney at Law  
Post Office Box 2128  
Winter Park, FL 32790-2128

Re: Judge Alan Todd

Dear Mr. Muller:

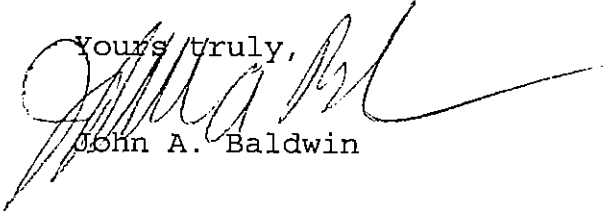
I am writing this letter to you regarding your client and my friend, Judge Alan Todd.

I have known Judge Alan Todd since he began practicing law with the U. S. Attorney's Office in Orlando, Florida. I worked with him as a defense attorney in cases where he acted as a prosecutor. I have been actively involved with him in his private practice after he left the U. S. Attorney's Office. I have also known him and worked with him and appeared before him as the judge many times over the years. As a consequence of this experience with Judge Todd, I believe I am well acquainted with him and his personality and abilities.

In the course of my dealings with Judge Todd, I have found him to be an unusually intelligent, judicial and erudite individual who takes his judicial post very seriously. He exercises good judgment. He is courteous, gentle and kind with everyone who appears before him. I have never witnessed him abuse anyone at any time. Judge Todd is an intellectual individual who is very well educated. He certainly is not a bigot. If he has a fault, it is because he is too gentle and kind. I have observed him over the years to exercise nothing but good judgment.

I would be happy to give any assistance that I can to Judge Todd. I have been practicing for 35 years and have a great deal of experience in dealing with many different personalities on the bench. Judge Todd is an excellent judge who I would be happy to have any client of mine appear before and who I would be happy to appear before at any time.

Yours truly,

  
John A. Baldwin

JAB/br  
cc: Judge Alan Todd



BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,  
NUMBER 04-53, ALAN C. TODD.

CASE NUMBER SC04-1655


**AFFIDAVIT**

STATE OF FLORIDA)

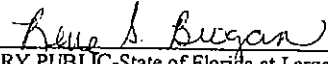
COUNTY OF ORANGE)

BEFORE ME, a Notary Public for the State of Florida, personally  
appeared Douglas M. Ball, who, after being first duly sworn, deposes and says  
that:

1. I am over the age of eighteen (18) years.
2. I am a resident of the State of Florida.
3. On June 24, 2004, I wrote a letter on behalf of The Honorable  
Alan C. Todd, County Judge, in and for Orange County, Florida. What I indicated  
in my letter was true at that time, and is currently still true. Attached to this  
Affidavit is a copy of my June 24, 2004 letter.

  
DOUGLAS M. BALL  
Chief, Winter Park Police Dept.

SWORN TO AND SUBSCRIBED before me by  
Douglas M. Ball, this 14th  
day of September, 2005.

  
NOTARY PUBLIC-State of Florida at Large  
My Commission expires:  
Printed or Typed Name: Rene S. Brogan  
Personally Known ( ☒ ) Produced I.D. ( ☐ )  
Type of I.D. Produced: \_\_\_\_\_  
Took Oath ( ) Yes ( ☒ ) No



Rene S. Brogan  
MY COMMISSION # DD244251 EXPIRES  
August 24, 2007  
BONDED THRU TROY FARM INSURANCE, INC.



## CITY OF WINTER PARK POLICE DEPARTMENT

OFFICE OF THE  
CHIEF OF POLICE

June 24, 2004

Mr. Chandler Muller  
1150 Louisiana Avenue  
Winter Park, FL 32789

Dear Mr. Muller:

I have known Judge Alan Todd on a professional level for more than twenty years. I have always found him to be a fair and impartial jurist. Judge Todd, on numerous occasions, has taken the time to explain his reasoning and rationale in reaching a final decision. I have known him to be a caring individual with a passion for the law.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas M. Ball".

Douglas M. Ball  
Chief of Police

DMB/rb

500 NORTH VIRGINIA AVENUE  
TEL (407) 599-3272




WINTER PARK, FLORIDA 32789  
FAX (407) 599-3661

### Affidavit

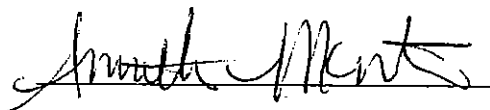
1. I am preparing this affidavit on behalf of Judge Alan C. Todd. I have read the Notice of Formal Charges against Judge Todd and am aware of the allegations.
2. I am a practicing attorney and a former state prosecutor for the Ninth Judicial Circuit of Florida. I am a current and former member of the Florida Bar Association, U.S. District Court, Middle District of Florida, Orange County Bar Association, American Bar Association, Trial Lawyers Association of America, Academy of Florida Trial Lawyers and Trial Lawyers Section of the Florida Bar. I practice in the area of criminal defense and personal injury law and am currently a member in good standing of the Florida Bar.
3. I received my Juris Doctor degree from Stetson University College of Law and my Bachelor of Arts degree from the University of Central Florida. I also served in the U.S. Army from 1985 through 1989.
4. As a former state prosecutor and now a Criminal Defense attorney, I have had numerous cases before Judge Alan C. Todd. I continue to have cases heard by Judge Todd. I have found Judge Todd's demeanor to be completely appropriate. He is very respected and revered by courthouse personnel, clerks, Deputies, Prosecutors and Defense attorneys. In my experience, Judge Todd has been kind, caring and thoughtful. He is known for making fair decisions.

### Oath

I, Harvey V. Cohen, Esq. hereby swear that I have prepared the above affidavit and the  
Above facts are true to the best of my knowledge.


  
Harvey V. Cohen, Esq.  
Florida Bar number 0161020

SWORN TO AND SUBSCRIBED before me at Winter Park, Orange County, Florida, this  
21<sup>st</sup> day of September, 2005.



Personally known or Produced identification

Type of ID produced: \_\_\_\_\_

NOTARY PUBLIC-STATE OF FLORIDA  
 **Annette Montes**  
Commission #DD365637  
Expires: OCT. 24, 2008  
Bonded Thru Atlantic Bonding Co., Inc.



June 25, 2004

Mr. Chandler R. Muller  
Chandler R. Muller, P.A.  
P.O. Box 2128  
Winter Park, FL 32790-2128

Dear Mr. Muller:

I have appeared numerous times before Judge Todd both as a Prosecutor and Defense Attorney. I find his demeanor completely appropriate. Judge Todd is very respectful to all court personnel, clerks, Deputies, Prosecutors and Defense attorneys.

Judge Todd is one of the most respected and revered Judges in the Ninth Judicial Circuit. His many years on the bench are a testament to his character. Judge Todd's reputation in the community is excellent. He is a kind, caring and thoughtful individual. Judge Todd is known for making good decisions and doing the right thing under all circumstances.

In closing, Judge Todd has my complete support and I would be honored to help him in any way possible.

Please do not hesitate to contact me if I can assist you in any way possible.

Very Sincerely,

A handwritten signature in black ink, appearing to read "Harvey V. Cohen". The signature is stylized and fluid, with a long horizontal line extending to the right.

Harvey V. Cohen

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,  
NUMBER 04-53, ALAN C. TODD.

CASE NUMBER SC04-1655

**AFFIDAVIT**

STATE OF FLORIDA)

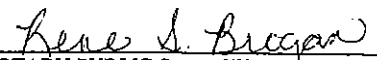
COUNTY OF ORANGE)

BEFORE ME, a Notary Public for the State of Florida, personally  
appeared Arthur S. King, who, after being first duly sworn, deposes and says that:

1. I am over the age of eighteen (18) years.
2. I am a resident of the State of Florida.
3. On June 24, 2004, I wrote a letter on behalf of The Honorable  
Alan C. Todd, County Judge, in and for Orange County, Florida. What I indicated  
in my letter was true at that time, and is currently still true. Attached to this  
Affidavit is a copy of my June 24, 2004 letter.

  
\_\_\_\_\_  
ARTHUR S. KING

SWORN TO AND SUBSCRIBED before me by  
Arthur S. King, this 19th  
day of September, 2005.

  
\_\_\_\_\_  
NOTARY PUBLIC-State of Florida at Large  
My Commission expires:  
Printed or Typed Name: Rene S. Brogan  
Personally Known ( ☒ ) Produced I.D. ( ☐ )  
Type of I.D. Produced:  
Took Oath ( ) Yes ( ☒ ) No



Rene S. Brogan  
MY COMMISSION # DD244251 EXPIRES  
August 24, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.



## CITY OF WINTER PARK POLICE DEPARTMENT

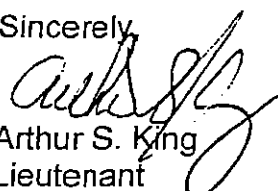
June 24, 2004

Mr. Chandler Muller  
1150 Louisiana Avenue  
Winter Park, Fl. 32789

Dear Mr. Muller:

I have known Judge Alan Todd on both a personal and professional basis for more than 20 years. I have always found Judge Todd to have the highest respect for the law and people in general. Additionally, Judge Todd has always conducted himself in a professional manner and is a person of high integrity.

Sincerely,

  
Arthur S. King  
Lieutenant

DMB/aw

JUL 01 2004

500 NORTH VIRGINIA AVENUE  
TEL (407) 599-3272



WINTER PARK, FLORIDA 32789  
FAX (407) 599-3661

## AFFIDAVIT

My name is Michael H. Lambert. I am a licensed practicing lawyer in Florida who specializes in criminal law. I was born and raised in Daytona Beach, Florida and upon my completion of law school returned home in 1974 and from that year through early 1979 was an assistant state attorney, Seventh Judicial Circuit. In February 1979, I began doing criminal defense where I have since remained.

Though located in Daytona Beach these 31 years, I have practiced in many circuits both via a Governor's assignment and in private practice.

I have read the entirety of the Notice of Formal Charges versus Judge Alan Todd. On a number of occasions over the past 4 years, I have had cases where Judge Todd was assigned. They were either early in the morning or after lunch. The reason that is important is that both of these settings would be times when parties are early, awaiting the appearance of a prosecutor, a bailiff, a clerk, or another defense lawyer.

If Judge Todd were to see me, he would have no idea who I am. Being early, I never sit at a table for defense lawyers or the prosecutor, as often for an out of circuit appearance I am early. Also, sitting in the audience affords me the opportunity to observe the lawyers and court personnel interact with the judge. Every courtroom is handled differently by every judge, some arrogantly though not the degree of a complaint.

When at the Sanford jail I was impressed with the way Judge Todd met in chambers with the lawyers to hash out any problems. When at the Orlando courthouse, there was a case being handled by an attorney by the name of Mark Lupet.

That case intrigued me as to how Judge Todd, once hearing from the State and the defense as to the proposed resolution inquired of the young defendant about his appreciation of the charges for which he was arrested and the negotiations that had been worked out.

Judge Todd methodically questioned the young man to insure he understood the grace he had received by the prosecutor's decision to reduce the charges. No matter how much we tell a client to appreciate the negotiations reached, it has a far greater impact when, without request, a judge reinforces that. The prosecutor had asked Judge Todd for the opportunity to address the young man as well, which he did very effectively.

It was not an in and out plea deal that left no impact. Both Judge Todd and the prosecutor took the time to make sure the young man understood that the grace extended was great, but also that the failure to fulfill the conditions, carried consequences.

When my case was called, it was a Motion To Set Aside a prior conviction. Our respective arguments were presented in a friendly, but adverbial manner. Judge Todd read our respective case law, devoting the time necessary to understand our positions.

The decorum of the courtroom was respectful, pleasant, and professional. Never as an unknown observer or a litigant's lawyer have I ever witnessed any actions or words by Judge Todd that would ever lend themselves to even an inappropriate innuendo.

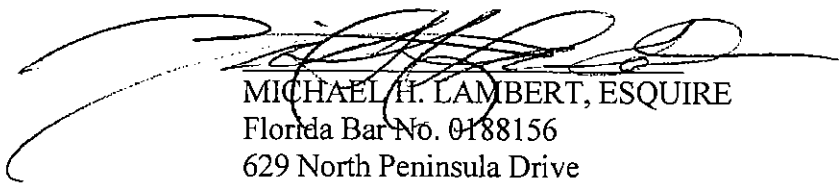
Based upon all of the times I have been before Judge Todd, it has been my wish there were more judges like him.

I am available for any questions either side may have.

Again, I want to stress that Judge Alan Todd would have no idea who I am, his docket is large but flows effectively. Being old school, it is always my policy to appear early for an out of circuit appearance so as to appreciate the idiosyncrasies of that particular setting. Judge Todd's courtroom and demeanor are so comfortable that my last appearance before him caused me to write and thank him.

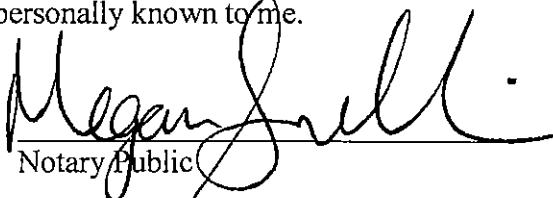
Further Affiant Sayeth Naught

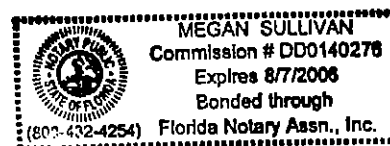
I do swear under the penalties of perjury and affirm that the foregoing is true and correct to the best of my knowledge and belief.

  
MICHAEL H. LAMBERT, ESQUIRE  
Florida Bar No. 0188156  
629 North Peninsula Drive  
Daytona Beach, Florida 32118  
(386) 255-0464

STATE OF FLORIDA  
COUNTY OF VOLUSIA

Sworn to and subscribed before me this 21<sup>ST</sup> day of September, 2005 by  
MICHAEL H. LAMBERT, who is personally known to me.

  
Notary Public





LAW OFFICE OF  
MICHAEL H. LAMBERT, P.A.

629 NORTH PENINSULA DRIVE  
DAYTONA BEACH, FLORIDA 32118

CRIMINAL DEFENSE

(386) 255-0464  
FAX (386) 238-0908

December 8, 2004

Honorable Alan Todd  
County Court Judge  
425 North Orange Avenue  
Orlando, Florida 32801

Re: State of Florida vs. Eric Mackey  
Case No. 1999-CT-34164-O  
Courtroom

Dear Judge Todd:

I am the Daytona Beach lawyer that was in front of you two weeks ago. I have practiced law for 30 years in this state and predominately criminal, first as a prosecutor, and then as a criminal defense lawyer. As those 30 years have progressed, I have also witnessed a declination in the criminal justice system. It is only on the rare occasion that I get outside of the Seventh Judicial Circuit, and just wanted to let you know what a wonderful experience it was to be in your courtroom and see how you handle cases. Though the atmosphere is relaxed, no one mistakes it as unimportant or non meaningful. Too often our courtrooms are cold and callous and presided over by an unbending dictator. It is clear that the relationship you enjoy with local bar, including prosecutors, is not only favorable, but one that lends itself to the administration of justice, fairness and compassion. I watched with admiration as you asked the State Attorney's Office if there was a way for that young man who had the DUI reduction to a Reckless Driving to also get a withheld adjudication by increased driver's license suspension or community service hours, which the prosecutor then agreed to. At this time, I know that young man has no concept of what you did for him, what his lawyer did for him, or what Mr. McBride did for him. Ten years from now he will, and because of that I am sure he too will do a kind act for someone unexpectedly.

Having been born and raised in Daytona Beach, during high school and returns home from college and law school years, I was often with a group of fellow young men who were drinking underage and came into contact with law enforcement. At that time police would have you empty all of your beer onto the ground knowing that

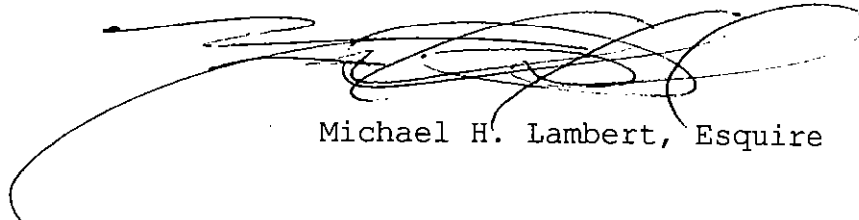
Page Two  
December 8, 2004  
Judge Todd  
RE: Mackey/Courtroom

you had probably saved all the money you could for that sole purpose, i.e., the purchase of the beer. Additionally they would call your home, and notify your parents. I would of rather have been arrested and taken to jail than have to face my parents and the consequences experienced. Though I raised my children, the same way my Catholic parents, Marine World War II father raised me, sadly I do not see many of my generation doing the same, and I believe that is the reason why we have the problem we do. I do not pat myself on the back, because as a parent I know I have made many many mistakes, and will continue to but I do have an open repore' with my kids, though there are consequences at home to their poor choices.

In any event, I just wanted to let you know what a pleasure it was to go into a courtroom for the first time in many many years, and actually feel like it was serving its community.

As always, I am

Most respectfully,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the left.

Michael H. Lambert, Esquire

MHL:mcs

**BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA**

**INQUIRY CONCERNING A JUDGE,  
NO. 04-53, ALAN TODD**

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**AFFIDAVIT**

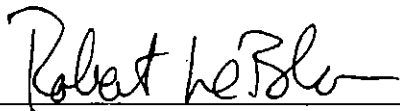
Comes Now Robert Paul LeBlanc and states the following:

I am a member in good standing of The Florida Bar and have practiced in the Ninth Judicial Circuit in and for Orange County, Florida for 16 years. I am AV rated by Martindale Hubbell and have defended criminal trials at all levels, from misdemeanor to capital cases. During that time I have appeared numerous times before Alan C. Todd.

I have recently read the Notice of Formal Charges and can only attest to the respect and dignity with which Judge Todd has held court in my presence. I have never felt anything untoward about his rulings or his demeanor, nor have I felt any of my clients prejudiced by Judge Todd. Nor have I ever felt that court personnel were treated other than with respect.

Judge Todd has always been approachable, attentive and quite insightful in his review of cases. I may have not always liked the ruling, but I have never felt he was patronizing to me in any way.

This 20th day of September, 2005.

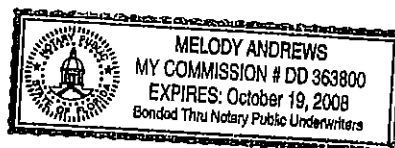


Robert Paul LeBlanc  
FBN 0817996  
LeBlanc & Iennaco, Attorneys at Law  
P.O. Box 2245  
Orlando, FL 32802

SWORN TO AND SUBSCRIBED before me  
this 20th day of Sept, 2005.



Melody Andrews  
Notary Public, State of Florida  
Commission No:  
My Commission Expires:



# LEBLANC & IENNACO

---

Francis V. Iennaco  
Robert P. LeBlanc

Reply to:  
P.O. Box 2245  
Orlando, FL 32802-2245

1415 East Robinson Street, Suite B  
Orlando, FL 32801  
Phone (407)896-7444  
Fax (407)895-0207

June 25, 2004

Chan Muller, Esq.  
1150 Louisiana Avenue/Suite 2  
Winter Park, FL 32790

Re: Hon. Alan C. Todd

Dear Mr. Muller;

This is in support of Judge Alan Todd. I would ask that you forward this to any interested parties for their review. Having been in private practice for 13 years now, I can only attest to the respect and dignity with which Judge Todd has held court in my presence. I have never felt anything untoward about his rulings or his demeanor (although he did tell me at a sidebar once that I should quit smoking!), nor have I ever felt any of my clients prejudiced by Judge Todd.

He has always been approachable, attentive and, in fact, quite insightful in his review of cases. I don't know what else I can provide to you in Judge Todd's support. I would simply ask that you or anyone feel free to call me or write for any further comments. I am happy to show my support for Judge Todd.

with warm regards,



Bob Leblanc

AFFIDAVIT OF WARREN LINDSEY

Please accept this affidavit as a character reference for the Honorable Alan C. Todd, County Judge, in and for Orange County, Florida.

I have practiced law in the Central Florida area for over 24 years. I am a past-President of the Orange County Bar Association and am presently a member of the Board of Governors of The Florida Bar from the Ninth Judicial Circuit. I am very familiar with the reputation of Judge Todd in the legal community and have also had very substantial contact with him over the last 24 years, initially when he was in private practice and since he ascended to the county bench.

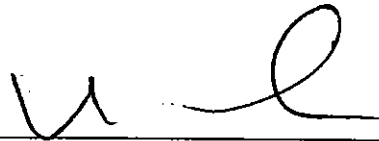
Without hesitation, I can say that Judge Todd is among the most decent, honorable men I have ever met. He is an honest, hard-working, conscientious, compassionate and kind man who strives each day as a judge to treat all who appear before him with respect and dignity. I say this after having appeared before him on a regular basis since he became a county judge. He is refreshing to appear before because even though he has been a judge for many years, his judicial temperament and treatment of people (court personnel, witnesses, defendants, attorneys) has remained unfailingly always civil, courteous and respectful.

Because I have known Judge Todd for many years, I know that he does have strong personal values that he follows in his own life.

He is a great example to all of us because I know based upon my contacts with him that he is not only an outstanding judge and person, but a very loving and devoted husband and father of children who have grown up to be successful and responsible citizens as a result of his example.

I vouch for Judge Todd as being a man of unquestionable integrity and decency. I am honored to and privileged to serve as a character reference for Alan Todd.

If you have any questions, please do not hesitate to contact me.

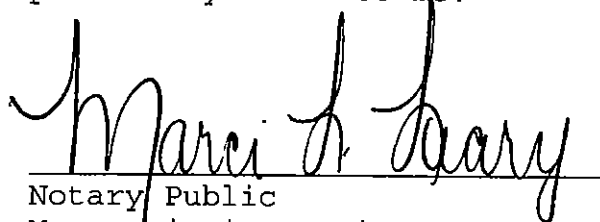


Warren W. Lindsey, Esquire  
KIRKCONNELL, LINDSEY, SNURE AND  
YATES, P.A.  
1150 Louisiana Avenue, Suite 1  
Winter Park, FL 32789  
Mail: P.O. Box 2728  
Winter Park, FL 32790  
Telephone: (407) 644-7600  
Facsimile: (407) 645-0805  
Attorney No. 299111

STATE OF FLORIDA

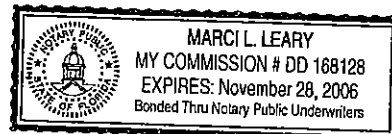
COUNTY OF ORANGE

Sworn to and subscribed before me this 20<sup>th</sup> day of September, 2005, by Warren W. Lindsey, who is personally known to me.



Notary Public

My commission expires:



KIRKCONNELL, LINDSEY, SNURE & YATES, P.A.

ATTORNEYS AT LAW

SUITE 1

1150 LOUISIANA AVENUE

POST OFFICE BOX 2728

WINTER PARK, FLORIDA 32790-2728

TELEPHONE (407) 644-7600

FAX (407) 645-0805

[www.criminaldefenselaw.com](http://www.criminaldefenselaw.com)

\*\*KIRK N. KIRKCONNELL

\*WARREN W. LINDSEY

\*MICHAEL J. SNURE

TAD A. YATES

WILLIAM R. PONALL

\*FLORIDA BAR BOARD  
CERTIFIED CRIMINAL LAW  
TRIAL LAWYER

\*CERTIFIED CRIMINAL TRIAL  
ADVOCATE BY THE NATIONAL  
BOARD OF TRIAL ADVOCACY

June 25, 2004

VIA HAND DELIVERY

Chandler R. Muller, Esquire  
1150 Louisiana Avenue  
Suite 2  
Winter Park, FL 32789

Re: The Honorable Alan C. Todd, County Judge

Dear Mr. Muller:

Please accept this letter as a character reference for the Honorable Alan C. Todd, County Judge, in and for Orange County, Florida.

By way of introduction, I have practiced law in the Central Florida area for over 24 years. I am a past-President of the Orange County Bar Association and am presently a member of the Board of Governors of The Florida Bar from the Ninth Judicial Circuit. I am very familiar with the reputation of Judge Todd in the legal community and have also had very substantial contact with him over the last 24 years, initially when he was in private practice and since he ascended to the county bench.

Without hesitation, I can say that Judge Todd is among the most decent, honorable men I have ever met. He is an honest, hard-working, conscientious, compassionate and kind man who strives each day as a judge to treat all who appear before him with respect and dignity. I say this after having appeared before him on a regular basis since he became a county judge. He is refreshing to appear before because even though he has been a judge for many years, his judicial temperament and treatment of people (court personnel, witnesses, defendants, attorneys) has remained unfailingly always civil, courteous and respectful.

Because I have known Judge Todd for many years, I know that he does have strong personal values that he follows in his own life. He is a great example to all of us because I know based upon my

Chandler R. Muller, Esquire  
June 25, 2004  
Page 2

contacts with him that he is not only an outstanding judge and person, but a very loving and devoted husband and father of children who have grown up to be successful and responsible citizens as a result of his example.

I vouch for Judge Todd as being a man of unquestionable integrity and decency. I am honored to and privileged to serve as a character reference for Alan Todd.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'W. Lindsey', with a stylized flourish at the end.

WARREN W. LINDSEY

WWL:dc



BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

**INQUIRY CONCERNING A JUDGE,** :  
NO.: 04-53, ALAN C. TODD : Case No.: SC04-1655

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**Affidavit of Marc L. Lubet, Esquire**

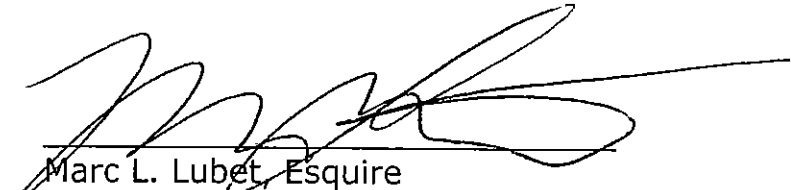
STATE OF FLORIDA  
COUNTY OF ORANGE

**COMES NOW,** the affiant, Marc L. Lubet, Esquire of 209 East Ridgewood Street, Orlando, Florida 32801 who after being duly sworn deposes and states the following:

1. I am a person over the age of eighteen and I have personal knowledge of the above referenced matter.
2. I have been an attorney practicing law as a member of the Florida Bar for over thirty years. I practice mainly criminal defense law. I practice in front of Judge Todd on a regular basis.
3. It has been my experience with Judge Todd that he is one of the most compassionate, understanding and caring judges in the Ninth Judicial Circuit. It has further been my experience that Judge Todd never forgets that justice must be tempered with mercy and treats every person that comes before him with the utmost respect and sensitivity. Judge Todd is a judge who understands that all people that come before him are entitled to the respect which goes along with the robe he wears.
4. Judge Todd has been on the criminal and traffic bench for quite some time and it has been my experience that while he is firm with Defendants who require a dose of reality, he can be just as gentle with first time offenders who have simply made a poor decision.

5. I firmly believe that the entire Bar respects Judge Todd as it is always a pleasant experience to appear before him.
6. I have seen Judge Todd on numerous occasions over the many years that he has been on the bench and I have never seen him speak rudely, disrespectfully, or inappropriately to any Defendant, Attorney, Court Deputy, or any other Court personnel. He has always conducted himself in a manner which both the bar and the bench can be proud of.

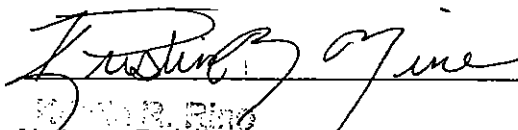
**FURTHER AFFIANT SAYETH NAUGHT**

  
\_\_\_\_\_  
Marc L. Lubet, Esquire

STATE OF FLORIDA,  
COUNTY OF ORANGE.

**BEFORE ME**, the undersigned authority did personally appear, Marc L. Lubet who is personally known to me and after being duly sworn acknowledges and affirms that he has read and executed the foregoing affidavit an all the facts stated therein are true and correct.

**SWORN TO AND SUBSCRIBED BEFORE ME** on this the 20<sup>th</sup> day of September 2005 in the county and state last aforestated.

  
\_\_\_\_\_  
Kristin R. Rine  
Notary Public,  
State of Florida at Large

My Commission Expires: May 5, 2008

[Seal]



*The Law Offices*  
*of*  
**MARC L. LUBET, P.A.**

**MARC L. LUBET**

Criminal Law  
Family Law  
Civil Trial Practice

*Admitted to Practice in*  
The State of Florida  
The State of Mississippi  
The United States Supreme Court

August 12, 2004

Chandler R. Muller, Esquire  
Law Offices of Muller & Sommerville, P.A.  
1150 Louisiana Avenue, Suite 2  
PO Box 2128  
Winter Park, Florida 32790

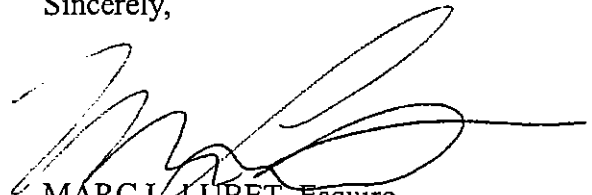
RE: Judge Alan C. Todd

Dear Chandler:

I am writing this letter in support of Judge Alan C. Todd whom I have know for approximately 25 years. I have been practicing law as a member of the Florida Bar for thirty years and have had the pleasure of knowing Judge Todd for the majority of that time. Judge Todd is one of the most compassionate, understanding, and caring judges in the Ninth Judicial Circuit. He never forgets that justice must be tempered with mercy and treats every Defendant that comes before him with the utmost respect and sensitivity. Judge Todd is a judge who understands that all people that come before him are entitled to the respect which goes along with the robe that he wears.

Judge Todd has been on the Criminal and Traffic bench for quite some time and while firm with the Defendants that require a dose of reality, he can be just as gentle with first time offenders who have simply made a poor decision. I firmly believe the entire bar respects Judge Todd as it is always a pleasant experience to appear before him. Thank you for your attention to this matter.

Sincerely,



MARC L. LUBET, Esquire

**AFFIDAVIT**

My name is Russell McLatchey and I have been a practicing attorney in Central Florida for the past eighteen (18) years. I have known Judge Alan C. Todd both as a colleague and as a Judge for the vast majority of my career. I have tried cases in his courtroom and I have handled countless cases before him during the course of my legal career. I forward this correspondence to assist any person in reaching a decision regarding Judge Todd's pending case before the Judicial Qualifications Commission. I have reviewed the Notice of Formal Charges in its entirety.

It has been my personal experience, without exception, that Judge Todd is the most cordial, engaging and polite jurist I have ever met. He is a genuinely decent man and he has always treated all parties in his courtroom with the utmost respect and courtesy. I do not pretend to know the context in which the alleged statements that give rise to the current proceedings arose. However, any alleged act of an inappropriate or malicious statement attributable to Judge Todd would be completely out of character and contrary to the man I have come to know over almost two (2) decades.

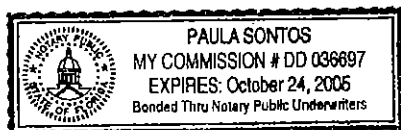
I swear the above is true and correct.

FURTHER AFFIANT SAYETH NOT.

Russell F. McLatchey  
Russell F. McLatchey

Sworn to and subscribed before me this 19th day of September, 2005, by Russell F. McLatchey. Russell F. McLatchey is X personally known to me or \_\_\_\_\_ produced as identification the following: \_\_\_\_\_.

Paula Sontos  
Notary Public - State of Florida  
My Commission Expires: \_\_\_\_\_



LAW OFFICES OF  
**RUSSELL F. McLATCHEY**

ATTORNEY AT LAW  
531 DOG TRACK ROAD  
LONGWOOD, FLORIDA 32750  
(407) 339-7888  
FAX (407) 830-9540

September 15, 2004

To Whom It May Concern:

My name is Russell F. McLatchey and I have been a practicing attorney in Central Florida for the past seventeen (17) years. I have known Judge Alan C. Todd both as a colleague and as a Judge for the vast majority of my career. I have tried cases in his courtroom and I have handled countless cases before him over the course of my legal career. I forward this unsolicited correspondence to assist any person in reaching an informed decision regarding Judge Todd's pending investigation.

It has been my personal experience, without exception, that Judge Todd is the most cordial, engaging, and polite jurist I have ever met. He is a genuinely decent man and he has always treated all parties in his courtroom with the utmost respect and courtesy. I do not pretend to know the context in which the alleged statements that give rise to the current investigation arose. However, any alleged act of an inappropriate or malicious statement attributable to Judge Todd would be completely contrary and out of character to the man I have come to know over almost two decades.

Your attention in this regard is appreciated.

Truly Yours,

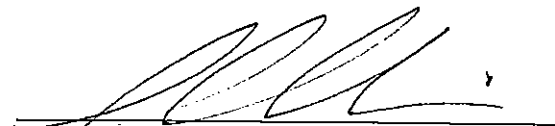


Russell F. McLatchey

RFM/rw

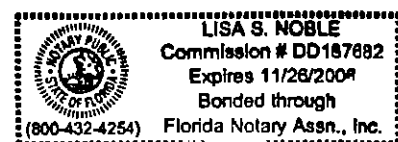
**AFFIDAVIT OF ATTORNEY ADAM B. REISS REGARDING INQUIRY**  
**CONCERNING JUDGE ALAN C. TODD**  
**CASE NUMBER SC04-1655**

I, Adam B. Reiss, have been practicing law for approximately 20 years; I was admitted to the Florida Bar in October of 1985. I have read the Notice of Formal Charges filed in the above-referenced matter. I have known Alan C. Todd for approximately 18 years, first as an Attorney and then as a County Court Judge. I have appeared before Judge Todd on countless occasions and have always found him to be extremely fair and impartial. Judge Todd has a remarkably calm demeanor and wonderful judicial temperament. The attorneys, witnesses, courtroom personnel and most importantly the litigants who appear before him are treated with courtesy in an adversarial however non-hostile environment. Judge Todd is sensitive to the various personal circumstances that have affected or potentially will affect each of our lives and is a truly compassionate and trusting person. I was not a witness to any of the alleged comments which are the subject matter of the formal charges however, even if the comments are one hundred percent accurate, the same would not have been made with ill will, hatred, or malice. I have never witnessed Judge Todd being unfair to ANYONE.

  
\_\_\_\_\_  
**ADAM B. REISS**  
FLORIDA BAR NO.: 501557  
203 E. Hillcrest Street  
Orlando, Florida 32801  
407-841-9051

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of Sept., 2005  
by Adam B. Reiss, Esquire who is personally known and who did take an oath.

  
\_\_\_\_\_  
NOTARY PUBLIC



**REISS & REISS**

*Attorneys at Law*

203 E. HILLCREST STREET  
ORLANDO, FLORIDA 32801

ReissLaw@aol.com

HOWARD S. REISS  
ADAM B. REISS

(407) 841-9051  
FAX (407) 841-3817

**June 24, 2004**

**Chan Muller, Esquire  
1150 Louisiana Avenue  
Winter Park, Florida 32789**

**Re: Honorable Alan C. Todd**

**Dear Chan:**

It has most recently come to my attention that the qualifications of County Court Judge Alan C. Todd are being scrutinized. Please accept this letter as my sincere offer to assist Judge Todd in any way possible. I have known Judge Todd for approximately 18 years, first as an attorney and then as a County Court Judge. I have appeared before Judge Todd on countless occasions and have always found him to be extremely fair and impartial. Judge Todd has a remarkably calm demeanor and wonderful judicial temperament. The attorneys, witnesses and litigants who appear before him are treated with courtesy in an adversarial however non-hostile environment. Judge Todd remains sensitive to the various personal circumstances that effect each of our lives and is truly a compassionate and trusting person.

Please feel free to contact me, I would be honored to assist Judge Todd as required.

Very truly yours,



Adam B. Reiss

ABR/lrn

**SWORN AFFIDAVIT**

CASE NAME: Inquiry Concerning a Judge, No. 04-53, Alan Todd

PERSON MAKING STATEMENT:                      NAME:                      Zachary E. Stoumbos, Esquire

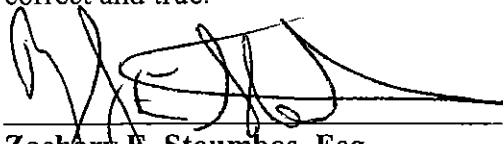
ADDRESS:    529 N. Magnolia Avenue  
                  Orlando FL 32801

I, Zachary E. Stoumbos, Esq., voluntarily make the following statement:

I have been acquainted with Judge Todd for approximately 10 years. I have appeared before him on countless occasions and have found him to be one of the most professional individuals I have ever had the pleasure of appearing before. Judge Todd has always gone to great lengths to communicate, not only with the attorney of record, in a polite and honest way, but also with defendants who are appearing before him. His patience and demeanor has always been excellent I have never seen him act in a way unbecoming to an Orange County Judge.


Judge Todd has always been an approachable Judge, meaning, he does not wear his title in such a way to intimidate or improperly affect anyone. He is an honest person who has always provided straight forward answers to questions presented to him with sincerity and professionalism and should be considered a credit to the Judicial Bench. His scoring on Judicial Poles among the criminal defense bar is also reflective of same.

I swear/affirm the above statement is correct and true.

  
\_\_\_\_\_  
Zachary E. Stoumbos, Esq.  
Date September 19, 2005

**STATE OF FLORIDA  
COUNTY OF ORANGE**

Personally known ☒ or Produced Identification \_\_\_\_ (Type of Identification \_\_\_\_).  
Sworn to and subscribed before me this 19th day of September, 2005.

  
\_\_\_\_\_  
NOTARY PUBLIC  
 PATRICIA WAPSHOTT  
MY COMMISSION # DD 436392  
EXPIRES: June 1, 2009  
Bonded Thru Budget Notary Services



# ZACHARY E. STOUMBOS, P.A.

ATTORNEYS AND COUNSELORS AT LAW

529 North Magnolia Avenue  
Orlando, Florida 32801  
Phone (407) 649-4949  
Facsimile (407) 649-4131

June 25, 2004

Chandler R. Muller, Esquire  
1150 Louisiana Avenue, Suite 2  
Winter Park, Florida 32789

Dear Mr. Muller:

As per our recent discussions, I would like to take this opportunity to provide you with a correspondence reflecting my feelings and respect for Judge Alan C. Todd.

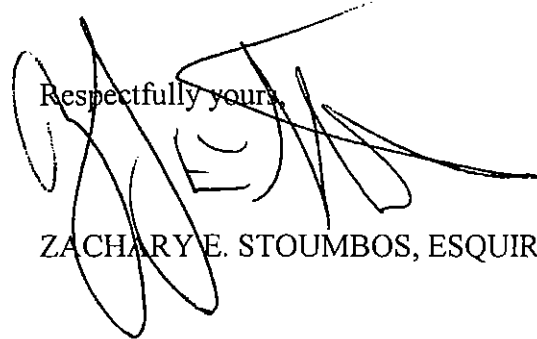
I have been acquainted with Judge Todd for approximately 10 years. I have appeared before him on countless occasions and have found him to be one of the most professional individuals I have ever had the pleasure of appearing before. Judge Todd has always gone to great lengths to communicate, not only with the attorney of record, in a polite and honest way, but also with defendants who are appearing before him. His patience and demeanor has always been excellent I have never seen him act in a way unbecoming to an Orange County Judge.

Judge Todd has always been an approachable Judge, meaning, he does not wear his title in such a way to intimidate or improperly effect anyone. He is an honest person who has always provided straight forward answers to questions presented to him with sincerity and professionalism and should be considered a credit to the Judicial Bench. His scoring on Judicial Poles among the criminal defense bar is also reflective of same.

Lastly, If I can be of any service to Judge Todd, please do not hesitate to contact me.

I remain,

Respectfully yours,



ZACHARY E. STOUMBOS, ESQUIRE

ZES/tlb

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE,  
NUMBER 04-53, ALAN C. TODD.

CASE NUMBER SC04-1655

**AFFIDAVIT**

STATE OF FLORIDA)

COUNTY OF ORANGE)

BEFORE ME, a Notary Public for the State of Florida, personally  
appeared Captain Rex Straw, who, after being first duly sworn, deposes and says  
that:

1. I am over the age of eighteen (18) years.
2. I am a resident of the State of Florida.
3. On June 25, 2004, I wrote a letter on behalf of The Honorable  
Alan C. Todd, County Judge, in and for Orange County, Florida. What I indicated  
in my letter was true at that time, and is currently still true. Attached to this  
Affidavit is a copy of my June 25, 2004 letter.

  
\_\_\_\_\_  
**REX STRAW**

**Captain, Winter Park Police Dept.**

SWORN TO AND SUBSCRIBED before me by  
Rex Straw, this 14th  
day of September, 2005.

Rene S. Brogan  
\_\_\_\_\_  
NOTARY PUBLIC-State of Florida at Large  
My Commission expires:  
Printed or Typed Name: Rene S. Brogan  
Personally Known ( ☒ ) Produced I.D. ( ☐ )  
Type of I.D. Produced:  
Took Oath ( ☐ ) Yes ( ☒ ) No



Rene S. Brogan  
MY COMMISSION # DD244251 EXPIRES  
August 24, 2007  
BONDED THRU TROY FAIN INSURANCE, INC.



## CITY OF WINTER PARK POLICE DEPARTMENT

OFFICE OF THE  
DIVISION COMMANDER  
OPERATIONS

Chandler Muller, P.A.  
1150 Louisiana Avenue  
Winter Park, Florida 32789

June 25, 2004

Re: Judge Allan Todd

Dear Mr. Muller:

I have known Judge Todd professionally for the past twenty-five years as an attorney, judge and citizen of Winter Park. I have always found him to be a person of integrity and compassionate and professional in his interactions with others.

Sincerely,

A handwritten signature in black ink, appearing to read "Rex Straw", with a large, sweeping flourish extending from the end of the signature.

Captain Rex Straw, N.A. 211  
Operations Commander

500 NORTH VIRGINIA AVENUE  
TEL (407) 599-3380



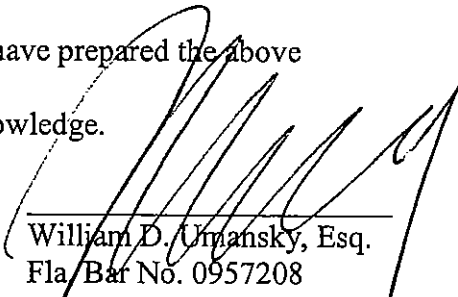
WINTER PARK, FLORIDA 32789  
FAX (407) 691-6655

## Affidavit

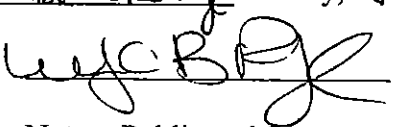
1. I am preparing this affidavit on behalf of Judge Alan Todd. I have read the Notice of Formal Charges against Judge Todd and am aware of the allegations.
2. I have been a practicing attorney since 1992 and am currently a member in good standing of the Florida Bar. I was the City Prosecutor for the City of Orlando and a former assistant state attorney for the Eighteenth Judicial Circuit. I currently practice in the area of criminal defense and personal injury law.
3. Currently, I hold the position of board member of the Central Florida Association of Criminal Defense Lawyers, the Teen Court program, Teen Alternatives, Inc. and the YMCA downtown chapter. I am a past co-chairman of the Orange County Bar Association Criminal Law Committee and a member of the Academy of Florida Trial Lawyers and Florida Association of Criminal Defense Lawyers. I am AV rated by the Martindale-Hubbell legal directory.
4. For the past ten years, I have appeared before Judge Todd first as a City Prosecutor for the City of Orlando and currently as an attorney who practices criminal defense law. In my opinion, Judge Todd is a kind, and fair jurist who cares about people regardless of race, sex, or sexual orientation. I have had trials, motions, plea conferences and hearings in front of Judge Todd and have never observed him demean anyone including litigants, court clerks, law enforcement, or other attorneys. To the contrary, I have always found him to be warm, pleasant, and respectful and moreover willing to carefully listen to both litigants and their lawyers on any matter pending before the court.

## Oath

I, William D. Umansky, Esq. hereby swear that I have prepared the above affidavit and the above facts are true to the best of my knowledge.

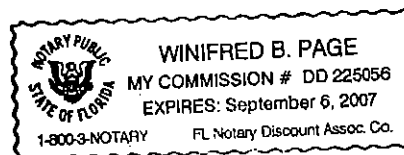
  
William D. Umansky, Esq.  
Fla. Bar No. 0957208

SWORN TO AND SUBSCRIBED before me at Winter Park Orange County, Florida, this 20 day of Sept, 2005.

  
Notary Public and Stamp

Personally known or Produced Identification

Type of ID produced: \_\_\_\_\_



THE LAW OFFICE OF



WILLIAM D. UMANSKY, P.A.

William D. Umansky, Esq.

Zahra S. Umansky, Esq.S. Keith Turner, Esq.  
*Of Counsel*

June 24, 2004

To Whom it May Concern:

I am a member in good standing of the Florida Bar, and the current Co-Chairperson of the Orange County Bar Association Criminal Law Committee. I have over ten (10) years experience in the practice of law in Orlando, and have had the pleasure of practicing in front of Judge Alan C. Todd, first as a City Prosecutor for the City of Orlando, and subsequently as a Criminal Defense attorney for the past six (6) years.

It is my personal opinion that Judge Todd is a warm and compassionate person, who listens to both sides of the issue, exercises an appropriate judicial temperament and renders an impartial decision without demeaning any of the parties involved. On his behalf, I would like to state that he consistently presides on the bench in an exemplary manner, and in his courtroom, people are confronted with a genuinely caring person, who does his best to create an atmosphere that perpetuates fairness and quality under the law.

If I can be of any further assistance on behalf of Judge Todd, please do not hesitate to contact me.

Sincerely,

William D. Umansky, Esquire

WDU:ljp

Affidavit

I have been practicing law in the Central Florida area since 1993, first as a Public Defender until 1996, then as the City Prosecutor for the City of Orlando until 2003, when I began private practice. I am a member in good standing of the Florida Bar and the Orange County Bar Association. I have had an opportunity to appear before the Honorable Alan Todd between 2001 and 2004 as both a prosecutor and a criminal defense attorney. I have read the Notice of Formal Charges against Judge Todd and am aware of the allegations.

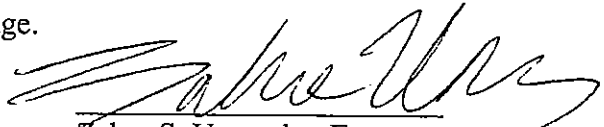
Judge Todd has an excellent reputation for presiding in a very fair and friendly manner. He is a good listener, and does not show any personal partiality towards the parties appearing before his bench, rather he will go out of his way to be even-handed and considerate.

Between 2001 and 2004, I have never observed Judge Todd behaving in a demeaning manner towards any defendant, attorney, or other party appearing in his courtroom, and find him consistently able to preside in a compassionate, friendly and fair manner,

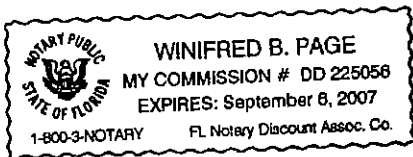
I have the utmost regard and admiration for Judge Todd, and find him to be an excellent jurist in his performance on the bench.

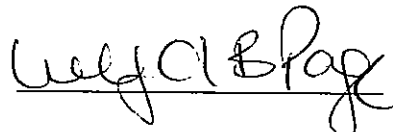
OATH

I, Zahra S. Umansky, Esq. hereby swear that I have prepared the above affidavit and the above facts are true to the best of my knowledge.

  
Zahra S. Umansky, Esq.  
Fla. Bar No. 0979503

SWORN TO AND SUBSCRIBED before me at Orlando, Orange County,  
Florida, this 20 day of Sept, 2005.



  
Notary Public and Stamp

Personally known or Produced Identification

Type of ID produced: \_\_\_\_\_

## THE LAW OFFICE OF



WILLIAM D. UMANSKY, P.A.

William D. Umansky, Esq.  
Zahra S. Umansky, Esq.

S. Keith Turner, Esq.  
*Of Counsel*

June 24, 2004

To Whom it May Concern:

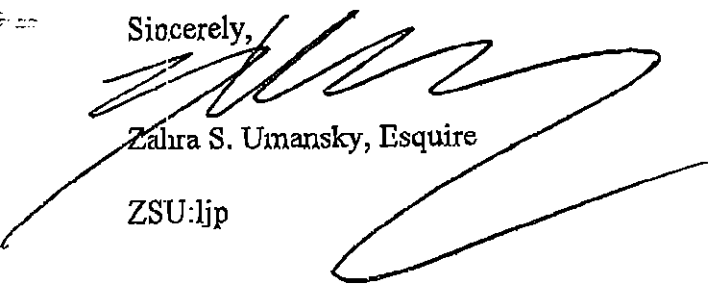
I have been practicing law in the Central Florida area since 1993, first as a Public Defender until 1996, then as the City Prosecutor for the City of Orlando until 2003, when I began private practice. I am a member in good standing of the Florida Bar and the Orange County Bar Association.

Judge Todd has an excellent reputation for presiding in a very fair and friendly manner. He is a good listener, and does not show any personal partiality towards the parties appearing before his bench, rather he will go out of his way to be even-handed and considerate.

I have never observed Judge Todd behaving in a demeaning manner towards any defendant, attorney or other party appearing in his courtroom, and find him consistently able to preside in a compassionate, friendly and fair manner.

I have the utmost regard for Judge Todd, and find him to be excellent in his performance on the bench. If I can be of any additional help, please do not hesitate to contact me.

Sincerely,

  
Zahra S. Umansky, Esquire

ZSU:ljp

**BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION  
STATE OF FLORIDA**

**INQUIRY CONCERNING A JUDGE, :**

**NO. 04-53, ALAN TODD :**

**CASE NO. \_\_\_\_\_**

**AFFIDAVIT**

**STATE OF FLORIDA  
COUNTY OF ORANGE**

**BEFORE ME,** the undersigned authority, personally appeared Charles W. Willits, under oath to tell the truth, deposes and says as follows:

I am in receipt of the Notice of Formal Charges alleging allegations against the Honorable Alan C. Todd dated August 24, 2004. I have read that Notice of Formal Charges in detail and can say unequivocally that I am amazed by these allegations and do not believe them to be possible from a judge who I have known for over thirty years.

I have known Judge Todd since he was an Assistant United States Attorney. The entire time that he has been a county judge I have had the occasion to appear before him on numerous cases as a defense attorney. It is my opinion that there is no judge in the Ninth Judicial Circuit whom I have ever appeared before who has a better judicial demeanor and treats all parties with respect in a proper and judicial manner.

I have never, in my thirty plus years of knowing Judge Todd, heard him make any comments against any person which were degrading or insulting. In fact, my experience with him, as a county judge, has been the exact opposite. Judge Todd makes every effort to run a courtroom which is both friendly to all parties and efficient in its operation. I believe, he has the best understanding that the county court is more of the people's court than the circuit court and conducts his courtroom appropriately. There are certain cases which are aggravated that he handles and I have seen him have no reservations in handling those cases appropriately as a judge. However, he also understands that many of the people who appear in county court will only appear one time because they made a mistake, which is a misdemeanor, and will probably never see the court system again in their lifetime. Therefore, he is able, in my opinion, to strike a balance between these two types of individuals that appear before him.

It is my considered opinion that he has the best judicial demeanor towards both sides of the litigation which appear before him of any judge in this circuit. He is respectful towards



witnesses and court personnel. I have never heard him address any party, either in his courtroom or outside of his courtroom, in a demeaning manner. The allegations which I have read are so out of character for Judge Todd that I would state, in my opinion, there is no way that he would make these statements or any statements similar in nature.

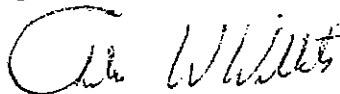
By way of a personal matter, my daughter had an occasion to be a witness before his court approximately four months ago in a minor case. When Judge Todd heard her name he went out of his way to inquire if she was my daughter. He then proceeded to tell the court personnel that she was my daughter and to treat her in a manner which made her feel that I was a respected lawyer in the community and to make her proud of that fact. There are no other judges in this circuit I know who would go out of their way to take the actions which made my daughter proud of me and at the same time he treated her in a respectful, dignified manner.

There are few judges in the Ninth Judicial Circuit that I respect to the degree that I respect Judge Todd for the way he runs his courtroom, how he treats the litigants, how he treats the parties to the litigation and how he treats his court personnel. Unfortunately, we have judges in this circuit who make no one comfortable in their courtroom and it is always a displeasure to appear before them. The same can certainly not be said of Judge Todd.

It is my sincere opinion that these charges cannot be true. I will be more than glad to speak in Judge Todd's behalf at any proceeding as a lawyer who has practiced in the area of criminal law for thirty three years in this circuit.

**FURTHER AFFIANT SAYETH NOT.**

**DATED** this 22nd day of September, 2005.



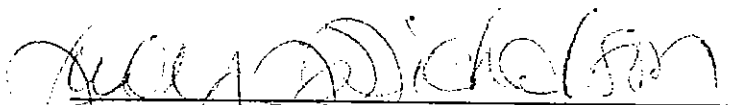
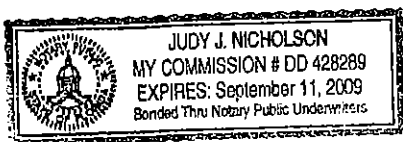
Charles W. Willits  
Affiant

**STATE OF FLORIDA)**  
**COUNTY OF ORANGE)**

The foregoing instrument was acknowledged before me this 22nd day of September, 2005, by Charles W. Willits who is personally known to me and who did take an oath.

**WITNESS** my official seal and hand at Orlando, Orange County, Florida, this 22nd day of September, 2005.

My Commission Expires:



**NOTARY PUBLIC**  
**State of Florida**  
Judy J. Nicholson

**CHARLES W. WILLITS**  
ATTORNEY AT LAW  
1407 EAST ROBINSON STREET  
**ORLANDO, FLORIDA 32801**

TELEPHONE (407) 423-1093

FACSIMILE (407) 894-7691

E-MAIL charleswillits@msa.com

August 27, 2004

The Honorable Alan C. Todd  
Judge, County Court  
Orange County Courthouse  
425 N. Orange Avenue  
Orlando, Florida 32801

Dear Judge Todd:

I was sorry to read yesterday's article in the Orlando Sentinel regarding you. I want you to know that all of the attorneys I am familiar with respect you as an excellent judge. I want you to know that we are on your side and are pulling for a favorable outcome in this matter.

There is no judge in Orange County, Florida, who treats attorneys and people appearing before him with more respect and compassion than you. If I can help as a witness or in any other capacity, please let me know.

Very truly yours,



Charles W. Willits

CWW/jn